

THE UNEASY CASE FOR KUNSTLER

When I say that Francis T.P. Plimpton, President of the New York Bar Association, former Ambassador to the United Nations, senior partner of Debevoise Plimpton, Lyons and Gates, father of George, is an extremely good and nice man, I do not mean to sound sarcastic, and if I knew how not to, I absolutely would, in this case. But I heard the gentleman on a recent occasion deliver a graduation talk, a very good graduation talk, except that he got carried away by benignity, and found himself saying some things which sound so conventional, that they raise hardly a hair in the audience's head, but which do, really, bear a little examination.

Mr. Plimpton was deploring the general mood of intolerance; so far so good. But then he made two additional points. One of them was that in his capacity as (retiring) president of the New York Bar, he has received many complaints against this judge or that one, this lawyer or the other, and that his correspondents ought to know the virtues of toleration. One of the names he mentioned, concerning whom he had heard complaints which, Mr. Plimpton tacitly suggested, were unjustified, is Mr. William Kunstler, the civil liberties lawyer prominent in the defense of the Chicago 7 and other inflammatory situations.

Now one wonders what is the job of the New York Bar Association, if it is not among other things to listen to complaints against the deportment of members of the New York Bar. For instance, take the said Kunstler.

To striking students after Cambodia, he said: "You must learn to fight in the streets, learn to revolt, learn to shoot guns. We will learn to do all the things the property owners fear."

To another group he had this advice. "Don't listen to your parents who say you're interrupting your education. And don't listen to those who say, 'If you continue to do this, the right wing will.... Our answer must be: * * * * the right wing.'"

When Yale struck for Bobby Seale, Kunstler achieved his finest hour. "If Bobby is sentenced to death, that is the signal that resistance is going to be paid for by death. Tomorrow is not a day for picket lines. It is not a day for routinized demonstrations. It is a day for resistance. If a system does not answer an immediate need, it doesn't deserve to exist. If one step won't bring a response, you go on to the next step. If that doesn't bring a response, you go on to revolution."

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All of which has finally overtaxed the American Bar Association, which now reports in the June edition of its journal, presumably at the risk of incurring the displeasure of Mr. Plimpton, that Mr. Kunstler's activities show him to be "anti-intellectual, frantically impatient, defiantly non-objective and intolerant and eager for violence." He is acquiring, say the journal's editors, "a cult of admirers rivaling in behavior and, one suspects, intelligence, the teenager mobs who used to swarm around Elvis Presley and the Beatles." One wonders what are the standards that the New York Bar Association is supposed to defend.

And then Mr. Plimpton lectured the young graduating class on the proposition that if a man is prepared to suffer the consequences of violating the law, then he is spiritually free to proceed to violate it. Sounds good, does it not?

But is it so? Sirhan Sirhan violated the law by murdering Robert Kennedy, and he was quite prepared to face the legal consequences of murdering him. John F. Kennedy was killed by a young American who knew that for his crime he might face imprisonment and execution. The man who gives himself over to the police after killing or raping or arson, hardly compensates, by his willingness to accept the stipulated punishment, the victim of his crime.

Moral? The unexamined cliché is a dangerous weapon. Cliches are the most lethal weapons around these days, excusing, as they do ("What would you expect us to do in a racist country" "You can only meet force with force" "The American Revolution was founded on violence, wasn't it"), more mischief than ever was excused by the unabashed appeal of the Seven Deadly Sins. Cliches should not be used lightly, then. Hilaire Belloc put it this way: "The moral is that little boys/ Should not be given dangerous toys."

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